

MEMORANDUM

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: THOMAS F. KLINKNER

RE: CITY ATTORNEY REPORT FOR MARCH 2014

CLIENT: CITY OF HOMER

FILE NO.: 506,742.18

DATE: APRIL 7, 2014

The following summarizes our activities as City Attorney during the month of March 2014.

City Council. I attended the March 10, 2014 City Council meeting, and reviewed the agenda packet for the March 24, 2014 City Council meeting. Holly Wells prepared to advise the Board of Adjustment in an appeal from a Planning Commission Decision.

City Clerk. I advised the City Clerk regarding a limitation period for complaints of ethics code violations, and drafted an ordinance to establish such a limitation period. I drafted an ordinance revising the procedure for recounts in City elections. I advised the City Clerk regarding Open Meetings Act requirements for meetings of advisory boards.

City Manager. I advised the City Manager regarding a proposal to change the composition of the Lease Committee.

Planning. I advised the Planning Department regarding the addition of properties to the natural gas distribution assessment district, and the standing of the City Planner to participate in appeals from Planning Commission decisions.

Port and Harbor. I advised the Port and Harbor Director regarding the impounding of a derelict vessel. I analyzed the agreement between the City and the Alaska Marine Highway System with regard to responsibility for maintaining an oil/water separator on the ferry terminal leasehold.

Public Works. I assisted the Public Works Department in responding to a claim for damage to a drainage outfall line.

City of Homer v. Shadle. Mara Michaletz represented the City at a hearing regarding the imposition of penalties for Mr. Shadle's zoning violation.

Auction Block Company v. City of Homer. Holly Wells prepared for oral argument of this case before the Federal Maritime Commission.

I will be available to answer questions regarding these matters at the April 14, 2014 Council meeting.

cc: Walt Wrede
Jo Johnson